

REMARKS

A. Status of the Present Application

The Office Action of July 15, 2004 has been received and its contents carefully noted. Claims 6-10 and 33-41 are pending in the application. The Disposition of Claims on Form PTOL-326 indicates that claims 6-10 and 33-41 are allowed, but the Examiner's detailed comments clearly indicate that claims 6-10 and 33-41 are rejected.

B. The Rejection of Claims 6-10 and 33-41 Under 35 U.S.C. §103

The Office Action has rejected claims 6-10 and 33-41 under the provisions of 35 U.S.C. §103(a) as unpatentable over U.S. Patent 6,411,724 (Vaithilingam).

C. U.S. Patent 6,411,724 (Vaithilingam) Is Not Prior Art

The primary reference relied upon to reject claims 6-10 and 33-41 is the Vaithilingam patent which is based upon U.S. patent application S.N. 09/347,214, filed on July 2, 1999. The Vaithilingam patent does not claim priority from any earlier filed United States or foreign patent. The present application was filed on April 26, 2000, and the present application claims the benefit of United Kingdom Patent 9909963.2 which was filed on April 29, 1999. A certified copy of the priority application was filed in this case on August 10, 2000. Since the April 29, 1999 filing date of Applicant's priority application is earlier than Vaithilingam's July 2, 1999 filing date, the Vaithilingam patent is not prior art with respect to Applicant's application. Accordingly, the Examiner is respectfully requested to withdraw the rejection of claims 6-10 and 33-41 as unpatentable in view of the Vaithilingam patent, and to pass the present application to issue.

D. Conclusion

In view of the remarks submitted above, it is respectfully submitted that all of the remaining claims are allowable and a Notice of Allowance is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Richard J. McGrath (Reg. No. 29,195) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a three (3) month extension of time for filing a reply in connection with the present application, and the required fee of \$1020.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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by


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